

# United States Department of Agriculture,

## OFFICE OF THE SECRETARY.

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### NOTICE OF JUDGMENT NO. 1851.

(Given pursuant to section 4 of the Food and Drugs Act.)

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#### ADULTERATION AND MISBRANDING OF CHERRY CORDIAL.

On January 26, 1912, the United States Attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information, and on May 10, 1912, an amended information, against Jacob F. Shapiro, Chicago, Ill., alleging shipment by him, in violation of the Food and Drugs Act, on May 17, 1911, from the State of Illinois into the State of New York of a quantity of so-called cherry cordial which was adulterated and misbranded. The product was labeled: "Cordial. \* \* \* Cherry Cordial. Guaranteed under the National Pure Food Law. Bottled by Serial 10937. J. F. Shapiro, Successor to D. Shapiro, Chicago, Sole Distributor."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Alcohol (per cent by volume), 36.56; solids (grams per 100 cc), 18.40; sucrose by Clerget, 3.88 per cent; reducing sugar invert, 12.1 per cent; polarization direct at 23° C., 2.8° V.; polarization invert at 23° C., -4.6° V.; polarization invert at 87° C., 0.0; ash (grams per 100 cc), 0.019; fixed acid as acetic (parts per 100,000 cc proof), 139.5; volatile acid as acetic (parts per 100,000 cc proof), 24.6; glucose (factor 163), none; esters as acetic ether (parts per 100,000 cc proof), 19.15; furfural, none; fusel oil (parts per 100,000 cc proof), 61.3; color, Lichen.

Adulteration was alleged in the information for the reason that a certain substance, to wit, an imitation cherry cordial, artificially colored and artificially flavored and containing no juice of cherries and no product distilled from the juice of cherries, had been substituted in whole for the product, to wit, cherry cordial, and for the further reason that the product was an imitation cherry cordial containing none of the juice of the fruit known as cherries nor any

product distilled therefrom, but was artificially flavored with benzaldehyde and was an article inferior to genuine cherry cordial, and said product was artificially colored with a coloring matter of a shade of red known as Lichen in a manner whereby the inferiority of the product was concealed. Misbranding was alleged for the reason that the product was labeled as set forth above, which labels were false and misleading in that they purported to state that the product was a genuine cherry cordial, whereas in truth and in fact it was not a genuine cherry cordial but was an artificial cherry cordial containing no juice of cherries and no product distilled from the juice of cherries, but a substance artificially flavored and artificially colored had been substituted in whole for cherry cordial.

On June 28, 1912, the defendant entered a plea of guilty to the information and the court imposed a fine of \$50 and costs.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *October 25, 1912.*

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